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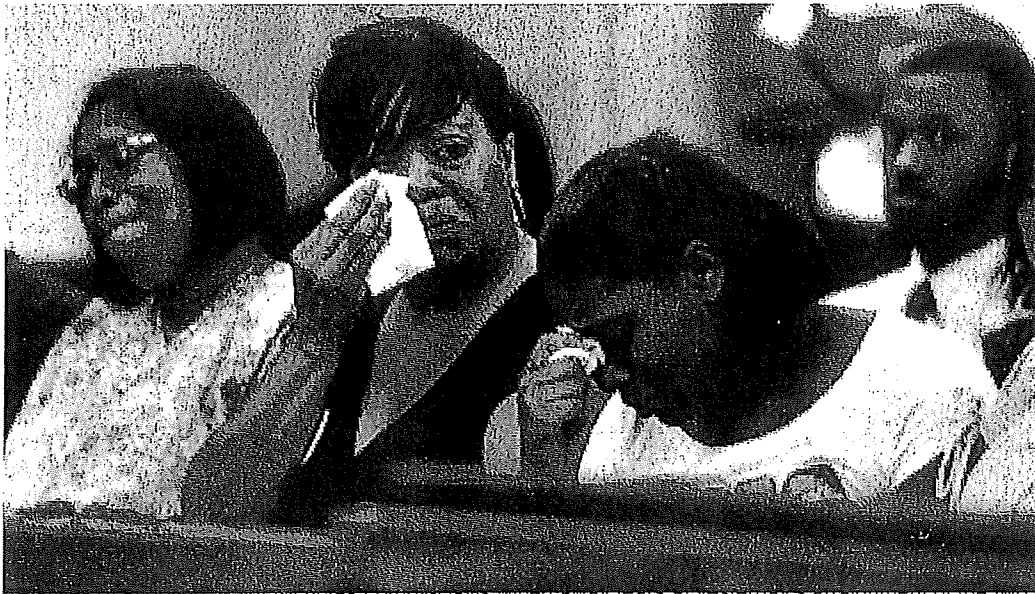
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The Boston Globe

Prosecutor tells of boy's shooting as 2 are arraigned



Relatives of shooting victim Nicholas Fomby Davis wiped away tears at yesterday's arraignment of the two men charged with his slaying May 30 in Dorchester. (Josh Reynolds for The Boston Globe)

By June Q. Wu
Globe Correspondent / July 16, 2010

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Talking yesterday to a courtroom filled with relatives of a 14-year-old boy who was shot and killed on a street in Dorchester in May, a crime whose brutality stunned the city, a prosecutor described how the victim had no gang ties or involvement in disputes.

Their faces hidden from view, the accused killers — Crisostomo Lopes, 20, and Joshua Fernandes, 16 — stood behind a door at their arraignment in Suffolk



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Superior Court as Assistant District Attorney Patrick Haggan described the shooting of Nicholas Fomby-Davis on May 30.

The boy's father, Nathaniel Davis Jr., overcome with emotion, stood up and left the courtroom before Haggan finished.

"Fomby-Davis had absolutely no gang affiliation or involvement of any kind in street gangs or disputes," Haggan said, adding that the defendants shot the boy, "likely believing him to be someone else."

Lopes and Fernandes, who both live in Dorchester, just a few blocks from Fomby-Davis, pleaded not guilty to first-degree murder charges yesterday and were ordered held without bail.

In the defendants' tape-recorded statements to Boston police homicide detectives, both denied any recollection or knowledge of the shooting, Haggan said.

"Nothing happened," Fernandes told the police after he was arrested, Haggan said.

When told that an off-duty police officer had witnessed the shooting, Fernandes eventually stated someone had tried to "run him over with a scooter" and he "blacked out" and does not remember if he had a gun at the time, the prosecutor told the court.

Lopes, who also denied knowledge of the incident, eventually admitted to being in the general area on his bike by himself.

Swabs taken from Fernandes's hands tested positive for the presence of gunshot residue, Haggan said.

The victim's family declined to comment after the arraignment.

In dramatic fashion, Haggan described the incident, saying that just after 7 p.m. on May 30, Fomby-Davis, an eighth-grader at the Dearborn Middle School in Roxbury, was riding on the back of a motorized scooter with a relative in Dorchester.

The two stopped short of hitting a man on a bicycle, later identified by the police as Lopes, Haggan said.

No words were exchanged, and the victim and his relative returned home.

The sun was still out when Fomby-Davis, with his relative's permission, took the scooter back out for a ride around the block at around 7:45 p.m.

At this time, the defendants, both members of a local street gang, were spotted crouched down on the sidewalk by an off-duty police officer as the victim came down the street alone, according to Haggan.

As Fomby-Davis entered the intersection at Bowdoin and Olney streets, the two ran into the street and blocked his path, he said.

Lopes then grabbed Fomby-Davis by the shoulder and held him while Fernandes fired three rounds from a .25-caliber handgun into him, the prosecutor told the court.

The two fled the scene, and less than half an hour later, at 8:11 p.m., Fomby-Davis was pronounced dead at Boston Medical Center.

The defendants are members of a local street gang that police believe is feuding with another in the area where the victim lives, Haggan said.

Law enforcement officials told the Globe that, while Fomby-Davis was not in a gang, a male relative of his is in one. Lopes and Fernandes belong to a rival gang and police are investigating whether that feud led to the eighth-grader's killing.

Fernandes and Lopes both have had previous encounters with law enforcement.

In a previous Quincy District Court case, Fernandes, a junior at Odyssey High School in South Boston, received probation after admitting to facts proving larceny.

Lopes, who is unemployed, has an arrest record that includes breaking and entering with intent to commit a felony, trespassing, and threatening to commit a crime.

In the Fomby-Davis slaying, Lopes, after being ordered to the ground at gunpoint, allegedly threatened the off-duty police officer who apprehended him.

"What are you going to do, shoot me? You'll catch it, too," Lopes said, warning the police officer he would get shot, Haggan said yesterday.

Lopes then proceeded to read the license plate on the off-duty officer's personal

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car out loud, as the officer led him to the police wagon, Haggan said.

Fernandes is represented by court-appointed lawyer John Palmer and Lopes by Christopher Belezos.

Both will return to court on Aug. 3.

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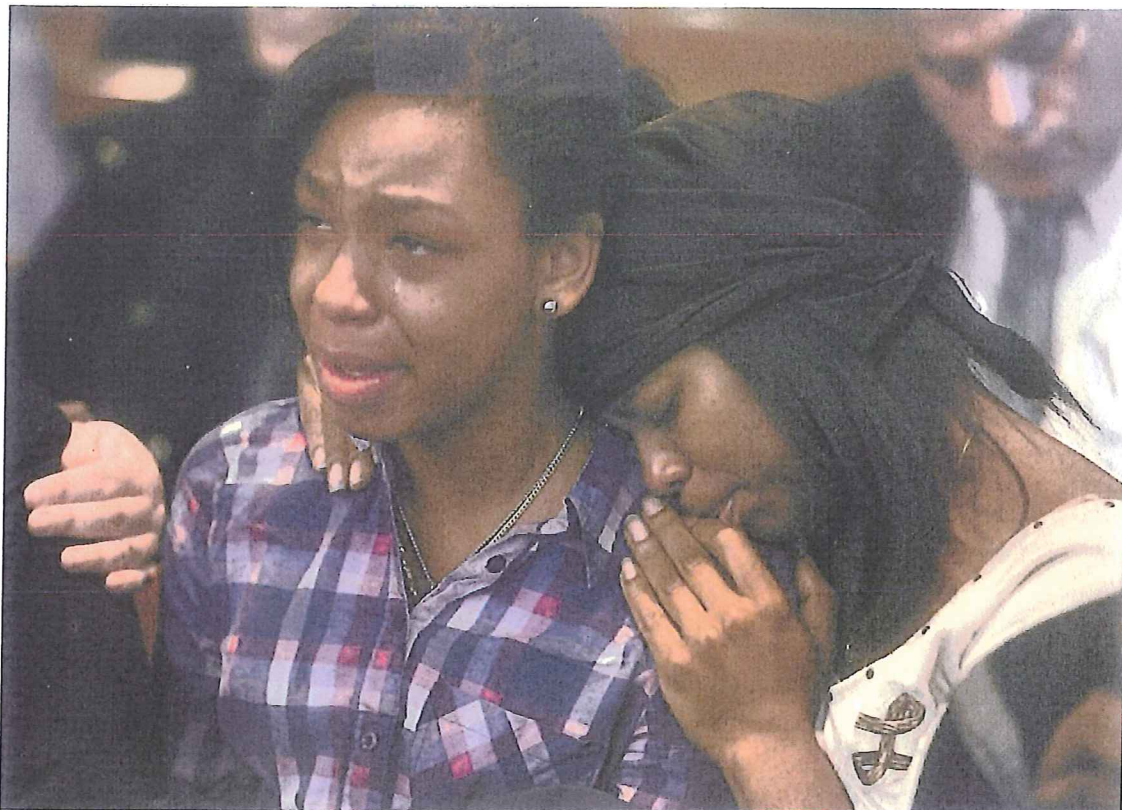


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Two teens arraigned in Dorchester shootings

Officials say victims not part of a gang; one killed

By Maria Cramer | GLOBE STAFF NOVEMBER 04, 2011



JOSH REYNOLDS FOR THE BOSTON GLOBE

Friends of the shooting victims wept during yesterday's arraignment in Dorchester.

One acted as a scout, the other as the shooter, authorities said. On Sept. 25, the two purported gang members thought they had found their mark in a 14-year-old boy they believed was a member of a rival group.

As the boy walked with his friend, Jaivon Blake, on Geneva Avenue in Dorchester, the scout helped tuck a .40-caliber handgun in the waistband of the shooter, and gave him an encouraging pat on the back, authorities said.

With that, the accused shooter, Nyasani Watt, fired at least six rounds, killing Blake and seriously injuring his 14-year-old friend, a Suffolk prosecutor said yesterday. Neither victim was part of a gang, officials said.

Blake was a 16-year-old student at Martin Luther King Jr. K-8 School who dreamed of playing basketball professionally and loved writing poetry.

Now, Watt, 18, and the alleged scout, Sheldon Mattis, also 18, are both charged with murder. They were arraigned yesterday in Dorchester District Court, where not guilty pleas were entered on their behalf. Mattis and Watt were ordered held without bail.

“They had no idea who he is and what kind of person he was,” said Blake’s mother, Diane Simmons, a 42-year-old Stop & Shop clerk. “My son was a very good boy. He didn’t get into trouble.”

“
*They had no idea who he is
and what kind of person he
was.’*

Blake’s killing marked the third time in three months that authorities said a gang feud resulted in the death of a young person with no ties to such groups.

Since Jan. 1, 2010, police figures show that at least 25 people have been killed in the Bowdoin-Geneva area.

In the aftermath of Blake’s death, police set up surveillance cameras in the area, increased patrols, and said they would start to target so-called impact players, those gang members believed to be planning or carrying out shootings in the neighborhood.

Two weeks after Blake was killed, Mayor Thomas M. Menino huddled with residents and community leaders and pledged to develop a comprehensive approach to tackle the poverty and violence that besiege the neighborhood.

Today, Menino plans to announce a strategy that his office said would help residents work more closely with the city and each other and focus more resources in the area: from basic services like better street lighting and sidewalk repairs to placing a youth worker and mental health provider to work in that specific area.

Simmons, who spoke after the hearing, said she wished that such attention had been focused on her neighborhood before her son’s shooting.

“Geneva is not a safe street,” said Simmons, a single mother, who lived on Geneva

Avenue for seven years. She said she knew of five people killed in her neighborhood and twice saw people shot.

Still, Simmons said she thought her son was safe because he avoided street gangs.

"I never thought this would happen to my son," said Simmons, who has moved from the neighborhood.

Officials said Watt and Mattis belong to a gang called "Flatline," a little-known group that had been feuding with a gang based on Geneva Avenue.

In court yesterday, Assistant District Attorney Mark Hallal, described how the crime unfolded that Sunday afternoon:

The suspects were hanging out with other members of their gang on Levant Street, where their group is based. Witnesses reported seeing Mattis take off on a bicycle toward Geneva Avenue, less than two blocks away.

Mattis spotted the 14-year-old, whose name is being withheld because of his age, and approached him.

The boy asked Mattis to go into a nearby store and buy him rolling papers.

Mattis complied and then the boy walked toward a Walgreens in the area, where Blake was buying snacks for himself and his brother.

Mattis rode back to his group and told them the 14-year-old was a rival, Hallal said.

Watt then took off on a bike toward the teenagers.

The victims tried to run away, but it was too late. The 14-year-old was shot in the back, neck, and shoulder. He is not paralyzed and is recovering slowly, police said.

Blake's injuries, however, were too severe.

Police briefly resuscitated him using CPR, but he died several hours later at Boston Medical Center.

Sergeant Detective Joseph MacDonald said witnesses helped investigators find the suspects. Video surveillance also was a key part of the investigation, according to police reports.

The suspects were arrested yesterday morning. Police were at Watt's home, waiting for a search warrant, when Watt walked through the back door, MacDonald said.

Officers said he was holding a fully loaded .38-caliber handgun, Hallal said.

Police said yesterday that they could not say how Watt got either weapon.

Simmons said she was relieved police had made an arrest. "I maybe can get some sleep now," she said.

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